IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE J.M.JAMES

MONDAY, THE 3RD JULY 2006 / 12TH ASHADA 1928

Bail Appl..No. 3626 of 2006(D)

(CRIME NO.121/2006 OF WANDOOR POLICE STATION)

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PETITIONERS/2ND AND 3RD ACCUSED

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1. MUJEEB RAHIMAN T., S/O.HAMEED,
   THENARI HOUSE, P.O.POROOR, MALAPPURAM DISTRICT.

2. K.C.HAMZA, S/O.ABOOBACKER,
   KUMULLANCHALIL HOUSE, KOORAD P.O.,
   MALAPPURAM DISTRICT.

BY ADV. SRI.P.SAMSUDIN

RESPONDENTS: COMPLAINANT

THE STATE OF KERALA, REPRESENTED BY
THE SUB INSPECTOR OF POLICE WANDOOR,
THROUGH THE PUBLIC PROSECUTOR, HIGH COURT OF
KERALA, ERNAKULAM.

BY PUBLIC PROSECUTOR P.N. SUKUMARAN

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 03/07/2006, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

J.M.JAMES, J.

B.A.3626/2006

DATED THIS THE 3RD DAY OF JULY, 2006

O R D E R

The petitioners 1 and 2 are the accused 2 and 3, in crime No.121/2006 of Wandoor Police Station. The offence alleged them are under Sections 468 and 471 IPC read with Section 34 IPC as well as Section 12(1)(b) of the Indian Passport Act. It is alleged that all the three accused had conspired to obtain a passport to the minor son of Sahida, Saumil Salam, after suppressing the fact that two other passports had already been possessed in the name of the minor child.

2. After hearing both sides, I direct the first petitioner, second accused, Mujeeb Rahiman, to surrender before the investigating officer of Wandoor Police Station, on 10.7.2006 between 10.00 a.m and 11.00 a.m. He shall be interrogated by the investigating officer and thereafter, be produced before the competent Court, as per the law.

3. If the petitioner is required for continued

custody, for the purpose of the completion of the investigation or for interrogation, the investigating officer may move an application before the Court below. In such situation the Court below shall pass appropriate orders on merit. If given to custody, on completion of interrogation, the second accused, first petitioner herein, shall be released on bail, imposing such conditions by the Court below, as are deemed necessary.

4. In the event of the arrest of the second petitioner, third accused, he shall be released on bail, on he executing a bond for Rs.20,000/-, with two solvent sureties, each for the like sum, to the satisfaction of the investigating officer, arresting him.

5. The second petitioner shall report before the investigating officer as and when required, till the completion of the investigation.

The application is disposed of as above.

J.M.JAMES
JUDGE

mrcs